

**GOVERNMENT OF ANDRA PRADESH**

**ABSTRACT**

PUBLIC SERVICES – Prohibition & Excise Department – Sri A.V.V.S.N. Murthy, formerly Assistant Commissioner of Prohibition & Excise (Enft.), Kakinada (Retd. on 30.04.2012) - Penalty of stoppage of two annual grade increments without cumulative effect imposed – Appeal filed - Punishment modified – Orders – Issued.

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**REVENUE (VIGILANCE-V) DEPARTMENT**

**G.O. Rt. No. 1608**

**Dated: 06.11.2013.**

Read the following:-

- 1) G.O. Ms. No.306, Finance Department, dt.08.11.1974.
- 2) G.O. Ms. No.995, Finance (Pen.I) Deptt., dt.21.12.2002.
- 3) G.O. Rt. No.786, Revenue (Vig.V) Deptt., dt.29.05.2010.
- 4) Sri A.V.V.S.N. Murthy, AC P&E (Enft.) WSD, dt.29.05.2010.
- 5) G.O. Rt. No.1257, Revenue (Vig.V) Deptt., dt.02.09.2010.
- 6) Sri A.V.V.S.N. Murthy, AC P&E (Retd.) representation, dt.21.07.2012.
- 7) Govt. Memo No.4812/Vig.V(2)/2010-23, dt.21.08.2012.
- 8) The Commissioner of Prohibition & Excise Proc. Cr. No.13061/2011/CPE/A2, dt.27.09.2012.
- 9) Sri A.V.V.S.N. Murthy, AC P&E (Retd.) representation, dt.18.10.2012.

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**ORDER:**

In the reference 3<sup>rd</sup> read above, article of charges were framed against Sri A.V.V.S.N. Murthy, formerly Assistant Commissioner of Prohibition & Excise (Enforcement), Kakinada (Retd. on 30.04.2012) on the allegation that he has derelicted his duties in supervising and controlling illicit distillation crime effectively which led to consumption of illicit liquor by the public of G. Agraharam and Musalapally Villages of Ambajipeta Mandal and Palagumi and Bandaru Lanka Villages of Amalapuram Mandal from 24.01.2010 to 26.01.2010 which caused death of 18 persons and hospitalization of 179 persons.

2) In the reference 4<sup>th</sup> read above Sri A.V.V.S.N. Murthy has submitted his written statement of defence duly submitting certain details of his achievements; and also stated that there is no negligence on his part and requested the Government to drop the charge against him.

3) After examination of the matter, orders were issued in the reference 5<sup>th</sup> read above, imposing a penalty of stoppage of two annual grade increments without cumulative effect against Sri A.V.V.S.N. Murthy.

4) In the reference 6<sup>th</sup> read above, Sri A.V.V.S.N. Murthy, Assistant Commissioner, Prohibition & Excise (Retd.) has requested the Government to release two withheld increments with effect from 01.04.2011 and 01.04.2012 as per Rule 9 (7) of A.P. Revised Pension Rules, 1980 read with G.O. Ms. No.995 Finance (Pension.I) Department, dt.21.12.2002 to release pension and other pensionary benefits like retirement gratuity, commuted value of pension, etc., and to grant encashment of surrender of earned leave, etc.

5) Government, after examining the representation of the individual have issued clarification that the provision of rule 9 (7) (c) of G.O. Ms. No.85, Finance (Planning (FW:Pen.I) Department, dt.12.07.1999 (A.P. Revised Pension Rules, 1980) is applicable in the present case; and hence in respect of the punishment of stoppage of one annual increment without cumulative effect which could not be imposed for the period from 01.05.2012 to 31.03.2013 (11 months) due to lack of service (since the individual retired from service on 30.04.2012) shall be recovered in lump sum from the retirement gratuity payable to the individual and the Commissioner of Prohibition & Excise was requested to regulate the retirement benefits accordingly.

6) In the reference 6<sup>th</sup> read above, the Commissioner of Prohibition & Excise has notionally released the two annual grade increments of Sri A.V.V.S.N. Murthy, Assistant Commissioner of Prohibition & Excise @ Rs.1,110/- each due on 01.04.2011 and 01.04.2012 raising the pay from Rs.43,630/- to Rs.44,740/- and from Rs.44,740/- to Rs.45,850/- in the scale of Rs.27,000 – 51,760 to facilitate for calculation of pensionary benefits on the basis of the last pay of the individual (Rs.45,850/-).

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7) In the reference 7<sup>th</sup> read above, Sri A.V.V.S.N. Murthy, Assistant Commissioner of Prohibition & Excise (Retd.) has stated that he has lost Rs.30,986/- in respect of encashment of earned leave, as the same was claimed on his basic pay @ Rs.43,630/- instead of revised basic pay of Rs.45,850/-. He has requested the Government to order no recovery shall be made from his gratuity for the unimplemented period and to revise the penalty of stoppage of one annual grade increment without cumulative effect instead of two increments without cumulative effect.

8) Government, after careful examination of the matter in detail, have decided and order to modify the punishment imposed against Sri A.V.V.S.N. Murthy, Assistant Commissioner of Prohibition & Excise (Retd.) i.e., stoppage of two annual grade increments to that of stoppage of one annual grade increment with effect from 01.04.2011 to 31.03.2012.

9) The Commissioner of Prohibition & Excise, A.P., Hyderabad is therefore requested to take necessary action accordingly in the matter, and also requested to take action in respect of Earned Leave as per the orders issued in the reference 1<sup>st</sup> read above.

10) This orders issues with the concurrence of Finance (Pen.I) Department vide their U.O. No.15056/195/A1/Pen.I/13, dt.19.06.2013.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**S.P. SINGH**  
**PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Commissioner of Prohibition & Excise, A.P., Hyderabad.

Sri A.V.V.S.N. Murthy, Assistant Commissioner of Prohibition & Excise (Retd.)

Through: The Commissioner of Prohibition & Excise, A.P., Hyderabad.

**Copy to:-**

The Pay & Accounts Officer, Hyderabad.

The Director of Treasuries & Accounts,

A.P., Hyderabad.

The Accountant General, A.P., Hyderabad.

File/SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER